



RESPONSES TO INFORMATION REQUESTS (RIRs)

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India: Issuance procedures and physical description of voter's cards, ration cards, birth certificates and driver's licences; whether the distribution of new driver's licences is complete; whether 16-page booklet driver's licences are still being used by the general population (January 2003 - 2005)

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Voter's Photo Identity Card

According to *The Registration of Electors Rules, 1960*, the registration officer for an electoral constituency arranges for every voter to be issued a voter identity card; however, it could not be verified whether these rules are still in effect (India 1960). This card is prepared in duplicate, contains the name, age, residence, and other identification particulars specified by the Election Commission of India (ECI), has affixed to it a photograph of the voter taken at the expense of the government and bears the facsimile signature of the registration officer (ibid.). The registration officer retains one copy of this card, while the voter holds the other copy for presentation at the time of election (ibid.).

In an attempt to improve the accuracy of the electoral list and prevent electoral fraud, the ECI ordered the creation of Electors' Photo Identity Cards (EPIC) for all voters in August 1993, and in May 2000, the ECI issued new guidelines for issuing EPICs to "take advantage of the latest technological innovations" (India n.d.e). The ECI Website states that more than 450 million voter identity cards have been distributed under the new guidelines, but fails to specify the completion date of this distribution (ibid.). Other reports mention that the union territory of Pondicherry was using digital photographs in the preparation of voter cards (ibid. 24 June 2003), and that in order to vote in 2004, voters had to present their EPIC (Rediff.com 22 Apr. 2004).

Ration Card

Although a ration card is a "legal" document issued by the state government (*The Tribune* 25 Oct. 2004; *India* 31 Aug. 2001, Art. 2m), the Public Distribution System (PDS) Order, 2001, which governs the distribution of subsidized items in India, explicitly states that a ration card may not be used as an identification document (India 31 Aug. 2001, "Annexe," 2(9)). Despite this, the Andhra Pradesh state government Website states that a ration card may be used as proof of age and residence in application for a learner's driver's licence (India n.d.d) and news articles report that ration cards are "widely used for address verification, [loan] procurement and other banking purposes" (*Times of India* 1 Jan. 2004), such as opening bank accounts, as well as for passport applications, employment exchange cards, driver's licences and situations where proof of origin and citizenship is required (Calcutta Yellow Pages n.d.).

Ration cardholders are entitled to obtain essential commodities such as rice, wheat, sugar and kerosene (*The Tribune* 25 Oct. 2004; India n.d.f; ibid. n.d.g; ibid. n.d.h; Calcutta Yellow Pages n.d.) from a "fair price shop" on a weekly basis at a subsidized rate (India 31 Aug. 2001, "Annexe," 2(2)).

State governments issue "distinctive" ration cards to families determined to be Above Poverty Line (APL), Below Poverty Line (BPL) and Antyodaya Anna Yojana (AAY), (India 31 Aug. 2001, "Annexe," 2(3)); the AAY families are the poorest among BPL families (ibid., Art. 2). State governments formulate guidelines for determination of BPL and AAY status and conduct an annual review of these lists (ibid., "Annexe," 1(2)).

Although the particularities of ration cards for all states could not be found among the sources consulted for this Response, certain distinctive characteristics were identified for ration cards in Karnataka state, where BPL ration cards are green and yellow in rural areas and urban shantytowns, while APL ration cards are blue and "computerized" in the Bangalore urban area (India n.d.f).

In the state of Kerala, in addition to APL, BPL and AAY cards, there are also Annapurna (ANP) cards for senior citizens above the age of 65 in BPL families, and temporary cards for those residing temporarily in any part of the state (India n.d.h).

In 2005, applicants in western Maharashtra state were required to submit the following documents to the rationing office in order to obtain a ration card:

1. a notarized standard application form;
2. proof of residence, which could be one of "latest electricity bill, telephone bill, photo pass, passbook of [a national] bank, driving licence, voter's [card], rent receipts issued by the municipality, letter signed by a Maharashtra Housing and Area Development Authority (MHADA) chairman, any document issued by a state government office mentioning the applicant's residential address or an identity card issued by employer" and
3. two passport-sized photographs (Mid Day 15 Nov. 2005).

In the northern state of Punjab, ration card applicants must submit form D1 and two passport-sized photographs of the applicant and family members, as well as a notarized surrender or deletion certificate verifying that the applicant does not hold a ration card in any state of India (India n.d.h). Ration cards are issued for five years, and to add or delete a name, a birth or death certificate is required respectively (ibid). As of 31 March 2005 there were 5,480,023 cardholders in Punjab state, which reserves a certain percentage of ration cards for those belonging to the following groups: scheduled castes, backward classes, ex-servicemen, freedom fighters, handicapped persons, voluntary organizations of women, riot victims and terrorist-affected families" (ibid.).

Similarly in the eastern state of West Bengal, an applicant must submit to the local ration office their birth certificate, an "R.O.I." form and a declaration from a reputed authority certifying that the applicant does not hold a ration card (Calcutta Yellow Pages n.d.). Minor applicants must present their birth certificate and the ration card of their mother (ibid.).

To obtain a ration card in the southern state of Karnataka, an applicant must submit a standard application form with proof of residence, which can be "a recent telephone bill, [gas] receipt, driver's licence, passport, voter's [identification] card, municipal tax receipt, extract from voters list, rent payment receipt, any other document related to residence" (India n.d.f). Those applying for a BPL card must also submit an income certificate, and those requesting a computerized card are required to pay a Rs 1.00 fee [approximately CAN\$0.03 (XE.com 16 Nov. 2005d)] (ibid.). The Department of Food, Civil Supplies and Consumer Affairs then issues the ration card, which can be renewed by submitting an application with proof of residence to the Jurisdictional Range Office (ibid.).

A January 2004 news article reported that although the Supreme Court of India ordered state governments to maintain a computerized list of ration cardholders, this was unachievable due to scarcity of computers (*Times of India* 1 Jan. 2004). This article also announced that in the state of Uttar Pradesh, the Department of Food and Civil Supplies was planning to put commercial advertisements on ration cards by 1 April 2004 in order to cover costs, but confirmation of this change could not be found among the sources consulted for this Response (*Times of India* 1 Jan. 2004). These new cards were to be designed by Uttar Pradesh Development Systems Corporation (UPDESCO) and issued in red, blue, green and gray colours free of charge to those below the poverty line, and for a "nominal cost" to those living above the poverty line (ibid.).

Birth Certificate

The United States visa reciprocity Website states that births must be registered in "almost all" states and union territories of India (US 15 Mar. 2004). Birth certificates are available to any applicant born on or after 1 April 1970 upon payment of a fee to the appropriate authority or municipal and rural registration records office (ibid.). In the case a birth certificate is unavailable or information regarding the birth or parents of the applicant is lacking, one may submit a document from a competent governmental authority confirming the birth certificate is unavailable, and a sworn affidavit executed by parents or other close relatives older than the applicant, which defines the relationship between the person and the applicant, the date and place of applicant's birth, names of both parents and any other related facts (ibid.).

Although neither the authenticity nor the date of issue could be verified, Indian birth certificates posted on the Immihelp Website, which is "operated by a team of professionals" with the aim of providing information free of charge to the public on immigration to the United States, show two different formats of birth certificates (Immihelp n.d.f; ibid. n.d.h). Both documents are "Form no. 9," issued by the Department of Health, and contain the following information: name, date of birth, date of registration, registration number, sex, place of birth, name of mother, name of father, address of mother or father, remarks, date of issue and at least one signature of an authority (ibid.).

Driver's Licence

Only those over the age of 18 years may drive a motor vehicle in India (India 1988, Ch. II, Art. 4). Those seeking a driver's licence may apply to the licensing authority having jurisdiction in their area of residence or employment or in the area where the driving school they are attending is located (ibid., Ch. II, Art. 9). The central government fixes the application form, the required accompanying documents, fee for driver's licence applications (ibid.), and test that applicants must pass at a licensing authority before being issued a driver's licence (ibid.). However, a driver's test is not required if "the applicant has previously held a [driver's] licence to drive such a class of vehicle and the period between the date of expiry of that licence and the date of the application does not exceed five years" or if the applicant satisfies certain other special conditions (ibid.).

The central government decides on the format and content of driver's licences (ibid., Ch. II, Art. 10). The learner's licence is valid for six months from the date of issue of the licence; the driver's licence in non-transport categories is valid for twenty years (and can then be renewed) or until the driver attains the age of 50, whichever comes first (ibid., Ch. II, Art. 14). Those who are 50 or older must renew their licence every five years; this involves, among other things, paying the required fee (ibid.). All driver's licences are valid for a period of 30 days from the expiry date (ibid.).

In the southeastern state of Andhra Pradesh, one may obtain a driver's licence only after first obtaining a learner's permit (India n.d.a). The district and sub-divisional offices of the Department of Transport issue all learner's and driver's licences; unit offices headed by a motor vehicles inspector may issue learner's licences and they may also issue (but not renew) non-transport driver's licences; finally, motor vehicles inspectors may only issue learner's licences (ibid.). Learner's licences are issued the day of application, cost 60 rupees [approximately CAN\$1.50 (ibid.; XE.com 16 Nov. 2005c)], and are valid for six months (India n.d.d). An applicant for a learner's licence must present the licensing authority with application form II; a fee of 15 rupees [approximately CAN\$0.40 (XE.com 16 Nov. 2005b)] (ibid.); proof of age and residence as verified by one of ration card, electoral roll, life insurance policy, passport, electricity or telephone bill, pay slip issued by any office of the Central Government or a state government or a local body, house tax receipt, school certificate, birth certificate, certificate of age granted by a registered medical practitioner not below the rank of a civil surgeon, medical certificate, if applicable, and three recent passport-sized personal photographs (India n.d.d). Applicants are also required to pass a test regarding basic traffic signs and driving responsibilities (ibid. n.d.d). To apply for a first-time driver's licence the applicant must submit application form 4, his or her learner's licence, the appropriate fee for the driving test and issue of licence, three copies of passport-sized personal photographs, and a medical certificate if he or she is over 50 years of age (ibid. n.d.b; ibid. n.d.c). The licence costs 390 rupees [approximately CAN\$10 (XE.com 16 Nov. 2005a)] and is issued on the day of application (ibid. n.d.a).

New Driver's Licences

According to an April 2005 news article, a smart card system had been introduced in Delhi and the state of Gujarat, and the states of Maharashtra and Uttar Pradesh were expected to follow suit (OTS 4 Apr. 2005). The article states that the smart card stores "data concerning the vehicle, its registration and the owner" (ibid.). According to the article, the governments of Delhi, Gujarat, Maharashtra and Uttar Pradesh aim to issue a total of 30 million cards to vehicle owners by 2008, with "several other states" to follow (ibid.). The *Hindustan Times* reports that the Department of Transport aims to "convert all vehicle registrations and [driver's] licences into smart cards" in Delhi by August 2006 (7 Jan. 2005). An earlier article in the same newspaper states that the smart card is "a driving licence, registration and insurance document rolled into one" (HindustanTimes.com 26 Dec. 2004). Purchasers of new vehicles in Delhi are required to apply for a smart card, which costs 370 rupees [approximately CAN\$9 (XE.com 28 Nov. 2005)] (ibid.).

Also in April 2005, officials in the state of Jharkhand announced that "smart cards" that incorporate both a driver's licence and vehicle registration information would soon be introduced (*Telegraph* 14 Apr. 2005).

A September 2005 media report stated that there were approximately 70 million smart card users in India, though the article did not specify whether the cards of these users hold driver's licence and vehicle registration information (*Asia Pulse* 14 Sept. 2005). Additional information on this card could not be found among the sources consulted by the Research Directorate (ibid.).

No information on whether the 16-page booklet driver's licences are still being used by the general population could be found among the literature consulted for this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

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